TOWN OF MIAMI LAKES, FLORIDA

AGENDA
PLANNING AND ZONING BOARD MEETING
April 17, 2018
6:00 PM
Government Center
6601 Main Street Miami Lakes, Florida 33014

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Election of Chair**
5. **Approval of Minutes**

   A. Approval of Minutes
   - **January 23 2018 LPA Meeting**

6. **Business Requiring Board Action**

   QUASI-JUDICIAL PUBLIC HEARINGS - Please be advised that the following items on the Board's agenda are quasi-judicial in nature. An opportunity for persons to speak on each item will be made available after the applicant and staff have made their presentations on each item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you do not wish to be either cross-examined or sworn, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Board to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. Any person presenting documents to the Board should provide the Town Clerk with a minimum of 10 copies. Further details of the quasi-judicial procedure may be obtained from the Clerk.

   B. AN ORDER OF THE PLANNING AND ZONING BOARD OF THE

TOWN OF MIAMI LAKES, FLORIDA, PURSUANT TO SECTION 13-305(f)(1) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE; DENYING A VARIANCE REQUEST FROM SECTION 13-1509(B) TO PERMIT A FENCE TO ENCROACH NINE (9) FEET INTO THE MINIMUM REQUIRED 15-FOOT STREET SIDE YARD SETBACK, FOR THE PROPERTY LOCATED AT 7201 MIAMI LAKEWAY SOUTH, MIAMI LAKES, FLORIDA, IN THE RU-1 ZONING DISTRICT; PROVIDING FINDINGS; PROVIDING FOR DENYING THE REQUEST; PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

C. **AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA RELATING TO EXTERIOR SURFACE PAINT AND PROTECTION OF COMMERCIAL AND INDUSTRIAL STRUCTURES; RENAMING CHAPTER 16 TO "PROPERTY STANDARDS AND NUISANCES;" CREATING SECTION 16-2, ENTITLED "COMMERCIAL AND INDUSTRIAL STRUCTURES SURFACE PAINT AND PROTECTION," OF THE TOWN'S CODE OF ORDINANCES; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

D. **AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATED TO SITE PLAN APPLICATION REQUIREMENTS, AMENDING SECTION 13-304(e)(1), '"SITE PLAN APPROVALS – APPLICATIONS," REPEALING THE REQUIREMENT THAT TWELVE (12) COPIES OF A SITE PLAN FOR PUBLIC HEARING CONSIDERATION BE SUBMITTED; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

7. **Director's Report**

8. **Adjournment**

This meeting is open to the public. A copy of this Agenda and the backup therefore, has been posted on the Town of Miami Lakes Website at www.miamilakes-fl.gov and is available at Town of Miami Lakes Town Hall, 6601 Main Street, Miami Lakes, FL 33014. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact Town Hall at 305-364-6100 two days prior to the meeting.

Anyone wishing to appeal any decision made by the Miami Lakes Planning and Zoning Board with respect to any matter considered at this meeting or hearing will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based.

Town of Miami Lakes
Memorandum

To: **Honorable Chairman Rodriguez & Boardmembers**
From: **Gina M. Inguanzo, Town Clerk**
Subject: **Approval of Minutes**
Date: **4/17/2018**

Recommendation:

Attached please find the Minutes of the January 23, 2018 LPA Meeting, for your kind review.

ATTACHMENTS:
Description
1-23-2018 LPA Minutes

MINUTES
Planning and Zoning Minutes
January 23, 2018
6:00 P.M.
Government Center
6601 Main Street, Miami Lakes, FL 33014

1. **Call to Order:**

   Chairman Jeffrey Rodriguez called the meeting to order at 6:05 p.m.

2. **Roll Call:**

   The Deputy Town Clerk, Nicole Cuellar, called the roll with the following Board Members being present: Avelino Leoncio, Fred Senra, Vice Chairman Raul De la Sierra, and Chairman Jeffrey Rodriguez. Board Members: Ameli Padron-Fragetta and Robert Julia arrived at 6:35 p.m. Board Member Homero Cruz was absent.

3. **Pledge of Allegiance/Moment of Silence:**

   Chairman Jeffrey Rodriguez led the Pledge of Allegiance and the invocation.

4. **Approval of Minutes:**
   - December 12, 2017 LPA Meeting Minutes

   Vice Chairman De la Sierra motioned to approve item 4A. Board Member Leoncio seconded the motion and the motion passed unanimously by all members present.

5. **Business Requiring Board Action:**

   A. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA; AMENDING THE OFFICIAL ZONING MAP TO REZONE A 2.07 +/- ACRE PROPERTY LOCATED AT 14575 NW 77 AVENUE (FRONTAGE ROAD), AS MORE PARTICULARLY DESCRIBED AT ATTACHMENT "A", FROM THE GU, INTERIM DISTRICT, TO RO-13, LOW DENSITY RESIDENTIAL/OFFICE DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FINDINGS; PROVIDING FOR DIRECTION TO THE ADMINISTRATIVE OFFICIAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Chairman Rodriguez read the title of the ordinance into the record.

Senior Planner, Susana Alonso, presented item 5A and answered questions posed by the Board Members.

Applicant, Albert Gonzalez, spoke before the Board Members on item 5A.

Vice Chairman De la Sierra motioned to approve the ordinance as per staff's recommendations. Board Member Padron-Fragetta seconded the motion and the motion passed, 5-1, with Board Member Senra in opposition and Board Member Cruz absent.

B. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA RELATING TO CONDITIONAL USES; AMENDING SECTION 13-303, ENTITLED "CONDITIONAL USES", ESTABLISHING PROVISIONS REGARDING THE CESSATION OF OPERATIONS OF USES CLASSIFIED AS CONDITIONAL USES AND ANNUAL CERTIFICATE OF USE RENEWAL; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Chairman Rodriguez read the title of the ordinance into the record.

Director of Planning, Darby Del Salle, presented item 5B and answered questions posed by the Board Members.

Dorothy Cook came before the Board Members to thank them for their help.

Board Member Senra motioned to approve the ordinance as recommended by staff. Chairman Rodriguez seconded the motion and the motion passed, 6-0, with Board Member Cruz being absent.

6. Director's Report:

Darby Del Salle, Director of Planning & Zoning, provided the Board Members with a status update regarding the GF District and the Utilities and Communications ROW ordinances and he spoke about the upcoming Workshop for the Utilities and Communication ordinance.

7. **Adjournment:**

There being no further business to come before the Board, the meeting adjourned at 7:03 P.M

Approved this 17th day of April 2018.

_____

Jeffrey Rodriguez
Chairman

Attest:

_____

Gina Inguanzo
Town Clerk

Town of Miami Lakes
Memorandum

To: **Chairman Rodriguez and Board Members**
From: **Darby Delsalle, Planning Director**
Subject: **Variance 7201 Miami Lakeway South**
Date: **4/17/2018**

Recommendation:

Staff recommends denial for the proposal as shown in the attached plans, consisting of two pages, and stamped received on March 23rd, 2018, as it does not meet the variance criteria at section 13-305(f)(1).

Background:

The Applicant is proposing to build a six (6) foot aluminum picket fence around the side yard facing Dade Pine Avenue of an existing single-family home located on Miami Lakeway South. The main house is setback 23.6 feet from the street-side property line. The provision requiring the minimum fifteen (15) foot setback was adopted in 2004 (Ordinance No. 04-63). Replacing the prior County Code which permitted fences to be built to the property line, the new provision adopted by the Town reflected the prevailing development pattern of single family homes, principally east side of the Palmetto Expressway, as was required by underlying private deed restrictions . This prevailing development pattern is evident when viewed in context of the fencing of the Applicant's neighbor to the north. That property has a fence setback fifteen (15) feet from the street side yard, a full nine (9) feet deeper than this request. It is worth noting, however, that the neighbor with the compliant fence has signed a letter in support of the applicant's request.

ATTACHMENTS:

Description

Order
Staff Report
Exhibit A - Plans
Exhibit B - Survey
Exhibit C - Photo interior yard
Exhibit D - Photo yard facing the street
Notification
Application

TOWN OF MIAMI LAKES
PLANNING AND ZONING BOARD
PZB NO: 2018-___

AN ORDER OF THE PLANNING AND ZONING BOARD OF THE TOWN OF MIAMI LAKES, FLORIDA, PURSUANT TO SECTION 13-305(f)(1) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE; DENYING A VARIANCE REQUEST FROM SECTION 13-1509(B) TO PERMIT A FENCE TO ENCROACH NINE (9) FEET INTO THE MINIMUM REQUIRED 15-FOOT STREET SIDE YARD SETBACK, FOR THE PROPERTY LOCATED AT 7201 MIAMI LAKEWAY SOUTH, MIAMI LAKES, FLORIDA, IN THE RU-1 ZONING DISTRICT; PROVIDING FINDINGS; PROVIDING FOR DENYING THE REQUEST; PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Section 1: Applicant

Applicant:	Rudy Martinez
Folio:	32-2023-010-0140
Legal description:	lot 14 in block 33 Of Miami Lakes Lake Martha Section, according to the plat thereof, as recorded in Plat Book 86 at page 76, of the public records of Miami Dade County Florida.
LOCATION:	7201 Miami Lakeway South Miami Lakes, Florida, 33014
Hearing No.:	VARH2018-0144

Section 2. Request:

The Applicant requested the following variance from the Land Development Code:

A variance from Section 13-1509(b) of the Town's Zoning Code to locate a fence in a street side yard, six (6) feet from the property line where a minimum fifteen (15) feet is permitted.

Section 3. Findings:

1. In accordance with Section 13-305(f)(1) of the Town's Land Development Code (LDC), the Planning and Zoning Board, having considered the testimony and evidence in the record presented by all parties, finds that the Applicant's request does not comply with the variance criteria at Section 13.305(f)(1)(a) through (g) of the Town LDC, which are as follows:
    a. Whether the Town has received written support of the specifically identified variance requests from adjoining property owners;
    b. Whether approval of the Variance would be compatible with development patterns in the Town;
    c. Whether the essential character of the neighborhood will be preserved;

d. Whether the Variance can be approved without causing substantial detriment to adjoining properties;
e. Whether the Variance would do substantial justice to the property owner as well as to other property owners justifying a relaxation of this Land Development Code to provide substantial relief;
f. Whether the plight of the applicant is due to unique circumstances of the property and/or applicant which would render conformity with the strict requirements of the Land Development Code unnecessarily burdensome; and
g. Whether the special conditions and circumstances which exist are the result of actions beyond the control of the applicant.

Section 4. Denial of Request

Per the Town of Miami Lakes Land Development Code, Article 3, following notice and public hearing on Tuesday, February 17, 2018 at 6:00 P.M. upon findings outlined herein, the Planning and Zoning Board hereby denies the request described in Section 2 above.

Section 5. Appeal

The Applicant, or any affected party, may appeal the decision of the Planning and Zoning Board according to the provisions of Section 13-203 or Section 13-310, of the Land Development Code, as applicable.

Section 6: Order

This is a Final Order.

Section 7: Effective Date.

This Order shall take effect 30 days following the date it is filed with the Town Clerk. If during that time frame, the decision of the Planning and Zoning Board is appealed as provided in the Town LDC and/or the Florida Rules of Appellate Procedure, the appeal shall stay the effectiveness of this Order until said appeal is resolved by a court of competent jurisdiction.

The foregoing Order was approved on initial vote by motion as provided herein by _____ and seconded by _____ by a vote of _____ with each Planning and Zoning Board Member voting as follows:

Chairman Jeffrey Rodriguez ____
Vice Chairman Raul De La Sierra ____
Board Member Homero Cruz ____
Board Member Robert Julia ____
Board Member Avelino Leoncio ____
Board Member Ameli Padron-Fragetta ____
Board Member Fred Senra ____

PASSED AND ADOPTED this 17th day of April, 2018.

_____
JEFFREY RODRIGUEZ
Chairman, Planning and Zoning Board

ATTEST:

_____
GINA INGUANZO
Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR USE ONLY BY THE TOWN OF MIAMI LAKES:

_____
LORENZO COBIELLA
TOWN ATTORNEY

This Order was filed in the Office of the Town Clerk on this _____day of _____, 2018.

_____
GINA INGUANZO
Town Clerk

Department of Planning, Zoning and Code Compliance
6601 Main Street • Miami Lakes, Florida 33014
Office: (305) 364-6100 • Fax: (305) 558-8511
Website: www.miamilakes-fl.gov

Staff Analysis and Recommendation

To: **Planning and Zoning Board**
From: **Darby Delsalle, AICP**
Director of Planning
Re:

HEARING NUMBER:	**VARH2018-0144**
APPLICANT:	**Rudy Martinez**
FOLIO:	**32-2023-010-0140**
LEGAL DESCRIPTION:	**LOT 14 IN BLOCK 33 OF MIAMI LAKES LAKE MARTHA SECTION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLATBOOK 86 AT PAGE 76, OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY FLORIDA.**
LOCATION:	**7201 Miami Lakeway South Miami Lakes, Florida, 33014**
ZONING DISTRICT:	**RU-1**
Date:	**April 17, 2018**

A. Request

In accordance with the Town of Miami Lakes Land Development Code (the "Town's LDC"), Rudy Martinez (the "Applicant") is requesting the following variance:

A variance from Section 13-1509(b) of the Town's Zoning Code to locate a fence in a street side yard, 6 feet from the property line where a minimum 15 feet is permitted.

B. Background

The Applicant is proposing to build a six (6) foot aluminum picket fence around the side yard facing Dade Pine Avenue of an existing single-family home located on Miami Lakeway South. The main house is setback 23.6 feet from the street-side property line. The provision requiring the minimum fifteen (15) foot setback was adopted in 2004 (Ordinance No. 04-63). Replacing the prior County Code which permitted fences to be built to the property line, the new provision adopted by the Town reflected the prevailing development pattern of single family homes, principally east side of the Palmetto Expressway, as was required

by underlying private deed restrictions[1]. This prevailing development pattern is evident when viewed in context of the fencing of the Applicant's neighbor to the north. That property has a fence setback fifteen (15) feet from the street side yard, a full nine (9) feet deeper than this request. It is worth noting, however, that the neighbor with the compliant fence has signed a letter in support of the applicant's request.

C. Staff Recommendation

Staff recommends denial for the proposal as shown in the attached plans, consisting of two pages, and stamped received on March 23rd, 2018, as it does not meet the variance criteria at section 13-305(f)(1).

D. Property Information and Permit History

Zoning District of Property: RU-1 – Single-Family Residential District

Future Land Use Designation: Low Density Residential

Subject Property:

The subject parcel is a 11,000-square foot lot on the corner of Miami Lakeway South and Dade Pine Avenue. The site is improved with a single-family home constructed in 1970 according to Miami Dade County records. It is located at 7201 Miami Lakeway South within the Low Density Residential Future Land Use Designation and is zoned RU-1 (Single-Family Residential District).

Surrounding Property:

	Future Land Use Category	Zoning District
North:	Low Density Residential	Single-Family Residential District, (RU-1)
South:	Low Density Residential	Single-Family Residential District, (RU-1)
East:	Low Density Residential	Single-Family Residential District, (RU-1)
West:	Low Density Residential	Single-Family Residential District, (RU-1)

[1] Subsequent amendments to the code (Ord. Nos. 08-102 and 13-156) provided exemptions to certain areas, principally west of the Palmetto Expressway, that where not developed under such covenants. The Applicant's property is east of the Palmetto Expressway.

Subject Property Location Map

not to scale

Open Building Permit(s) / Open Code Compliance Violation(s) / Zoning History:

There are currently no open permits or code violations on this property.

E. Analysis

Subsection 13-305(f)1 of the Town LDC allows the Planning and Zoning Board to approve non-use variance request(s) on the basis of practical difficulty on part of the Applicant by a majority vote of the members of the Planning and Zoning Board present. In order to authorize any variance on the basis of practical difficulty, the Planning and Zoning Board members at the meeting shall balance the rights of property owners in the Town as a whole against the need of the individual property owner to deviate from the requirements of the Land Development Code based on an evaluation of the factors below. All of the factors should be considered and given their due weight; however, no single factor is dispositive.

a) The Town has received written support of the specifically identified variance requests from adjoining property owners.

Analysis: The Town has received written support for this request from both adjacent neighbors and other neighbors on the same block. The letter with all the neighbor's signatures has been included as an attachment to this staff report.

Finding: Complies.

b) The Variance would be compatible with development patterns in the Town.

Analysis: See Section B, Background. The surrounding neighborhood was developed to provide for a fifteen (15) foot clear between any fencing along all side streets. This requirement was part of the deed restrictions that regulated development in the area prior to Town's incorporation and was later incorporated into the code in 2004.

Finding: Does not comply.

c) The essential character of the neighborhood would be preserved.

Analysis: See Section B, Background, and criteria "b" above. This configuration would be a departure from the existing development pattern of the neighborhood.

Finding: Does not comply.

d) The Variance can be approved without causing substantial detriment to adjoining properties.

Analysis: See Section B, Background, and criteria "b" and "c". The neighboring property to the north is fenced following the 15-foot setback requirement. Approval of this application would allow the fence for this property to project an additional nine (9) feet beyond the fence line established by the neighbor.

Finding: Does not comply.

e) The Variance will do substantial justice to the property owner as well as to other property owners justifying a relaxation of this Land Development Code to provide substantial relief.

Analysis: See Section B, Background, and criteria "b", "c" and "d".

Finding: Does not comply.

f) The plight of the applicant is due to unique circumstances of the property and/or applicant which would render conformity with the strict requirements of the Land Development Code unnecessarily burdensome.

Analysis: See Section B, Background, and criteria "b", "c" and "d". The lot is of typical size and configuration for the neighborhood. Based on the submittals of the applicant, the configuration of the property, and the analysis provided in this report, no unique circumstances that exist with regard to the property and/or the Applicant that would make conformance with Code provisions unnecessarily burdensome.

Finding: Does not comply.

g) The special conditions and circumstances which exist are the result of actions beyond the control of the applicant.

Analysis: See Section B, Background, and criteria “b”, “c”, “d”, and “f”. Based on the submittals of the Applicant, the analysis provided by this report ,there are no special conditions or circumstances which exist that are the result of actions beyond the control of the Applicant.

Finding: Does not comply.

****** IMPORTANT FOR USE AS A POOL BARRIER ******

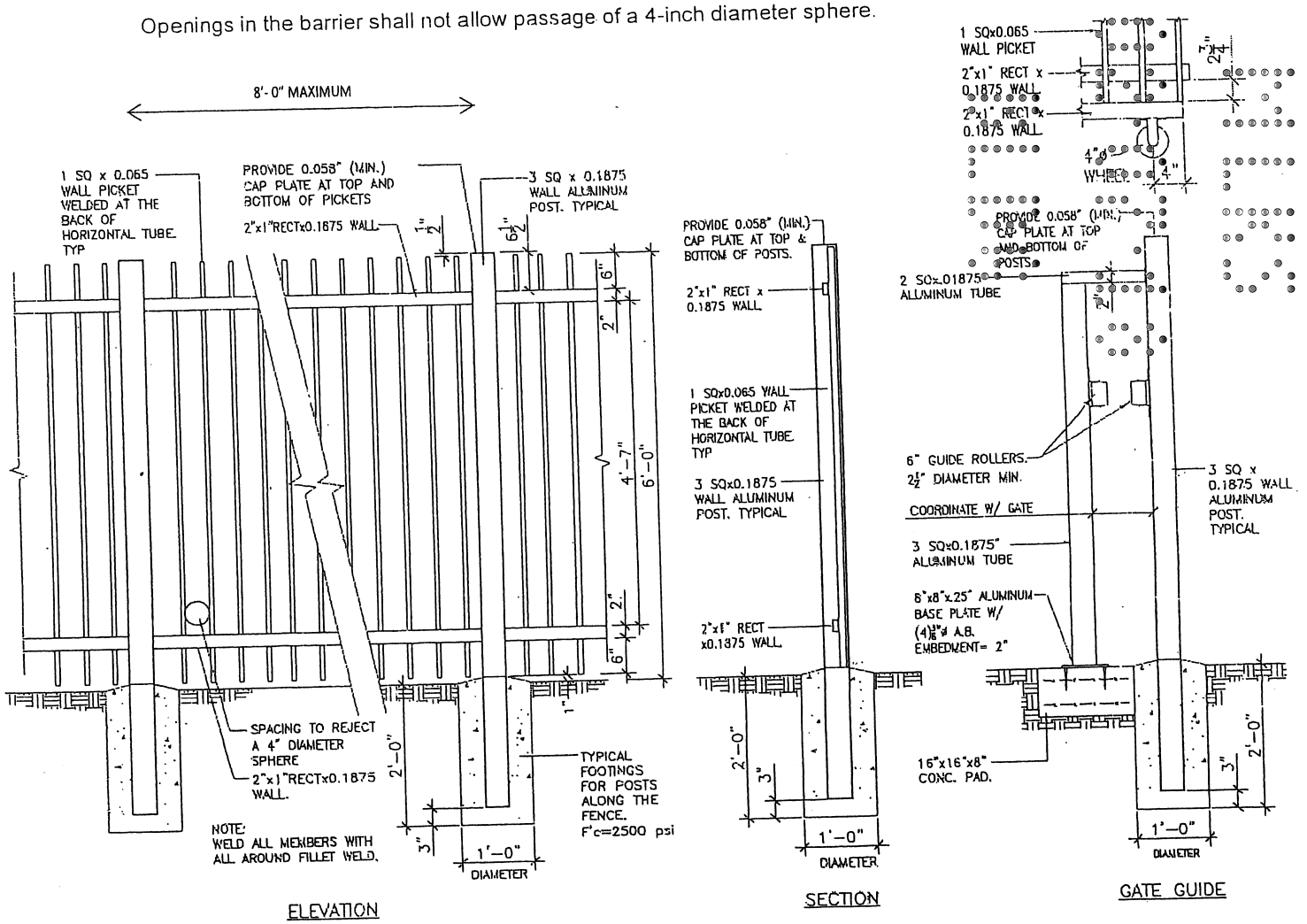
Outdoor swimming pools shall be provided with a barrier complying with Florida Building Code Sections 424.2.17.1.1 through 424.2.17.1.14.

Access gates shall be equipped with a self-closing self-latching locking device located no less than 54 inches from the bottom of the gate. The device release mechanism shall be located on the pool side of the gate and so placed that it cannot be reached by a young child over the top or through any opening or gap. Gates that provide access to the swimming pool must open outward away from the pool.

The top of the barrier shall be at least 48 inches above grade measured on the side of the barrier which faces away from the swimming pool.

The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches measured on the side of the barrier which faces away from the swimming pool.

Openings in the barrier shall not allow passage of a 4-inch diameter sphere.



23JUN
01:50:50
90J8

THOMAS J KELLY
Land Surveyors

BOUNDARY SURVEY

SCALE: N.T.S.

CERTIFY TO:

RUDY MARTINEZ AND GLEIBYS SANCHEZ
CALIBER HOME LOANS INC, ITS SUCCESSORS
AND/OR ASSIGNS, A.T.I.M.A
NUWORLD TITLE, LLC
NORTH AMERICAN TITLE INSURANCE COMPANY

LEGAL DESCRIPTION:

LOT: 14
BLOCK: 33
SUBDIVISION: MIAMI LAKES MARTHA SECTION
ACCORDING TO THE PLAT THEREOF AS RECORDED IN
PLAT BOOK: 86 PAGE: 76
PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

ADDRESS:

7201 MIAMI LAKEWAY
MIAMI LAKES, FLORIDA 33014

FLOOD ZONE INFORMATION:

THE NFIP FLOOD MAPS HAVE DESIGNATED
THE HEREIN DESCRIBED LAND TO BE LOCATED
IN FLOOD ZONE: 'AE'
PANEL: 114
SUFFIX: L
COMMUNITY: 120686
DATE OF FIRM: 09-11-2009

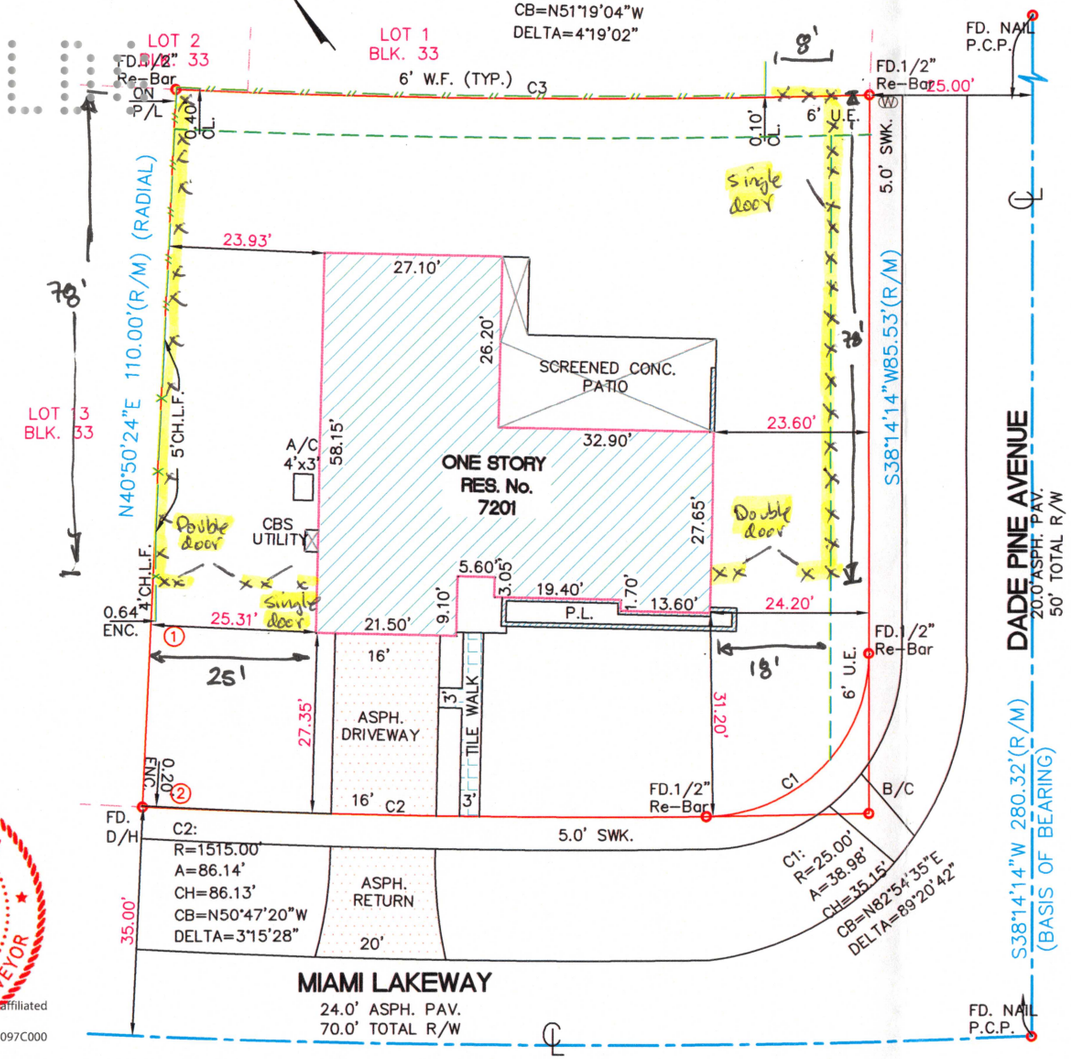
THE SUBJECT PROPERTY DOES LIE WITHIN A
SPECIAL FLOOD HAZARD AREA

Notes:
A) All Clearances and / or encroachments shown hereon are of apparent nature. Fence ownership by visual means. Legal ownership of fences not determined.
B) This survey is intented for mortgage or refinance purposes only exclusively for this use by those to whom it is certified. This survey is not to be used for construction, permitting, design, or any other use whithout written consent of Thomas J. Kelly .Inc.
C) Code restriction and title search are not reflected on this survey.
D) The flood information shown hereon does not imply that the referenced property will or will not be free from flooding or damage and does not create liability on the part of the firm, any officer or employee thereof for any damage that results from reliance on said information.
E) The lands depicted hereon were surveyed per the legal description and no claims as to ownership or matters of title are made or implied.
F) Underground Encroachments, if any, not located.
I hereby certify that the survey represented hereon meets the minimum technical standards set forth by the Board of Land Surveyors in Chapter 5J-17.050 to 17.052 Florida Administrative Code pursuant to Section 472.027 Fla. Statutes.
G) If shown, bearing are to an assumed meridian (by plat)
H) If shown, elevations are referred N.G.V.D. 1929
I) This is a boundary survey

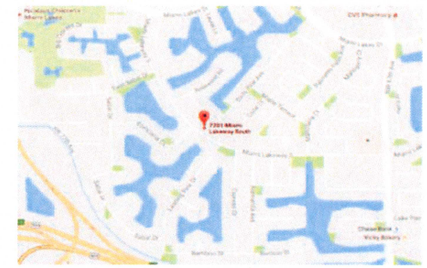
JOSE A. PEREA CERTIFICATE No. 4858 STATE OF FLORIDA PROFESSIONAL LAND SURVEYOR

Jose A Perea 08/16/2016
JOSE A. PEREA, P.S & M # 4858
STATE OF FLORIDA
NOT VALID UNLESS IMPRINTED WITH EMBOSSED SURVEYORS'S SEAL

Digitally signed by Jose A Perea
DN: c=US, o=IdenTrust ACES Unaffiliated Individual, cn=Jose A Perea, 0.9.2342.19200300.100.1.1=A01097C000001533508A7306094E20
Date: 2016.08.17 14:06:41 -04'00'



VIEW OF SUBJECT PROPERTY



VICINITY MAP

ENCROACHMENTS NOTED: TWO (2)

1. A 4' CH.L.F. ENC UP TO0.64' INTO SUBJECT PROPERTY
2. A CONC. SDWK. ENC.UP TO 0.2' INTO SUBJECT PROPERTY

LEGEND OF SURVEY ABBREVIATIONS

ADJ.	ADJACENT
A/C	AIR CONDITIONER
ASPH. PAV.	ASPHALT PAVEMENT
B/C	BLOCK CORNER
BLDG.	BUILDING
BLK.	BLOCK
B.M.	BENCH MARK
B.C.R.	BROWARD COUNTY RECORD
C/G	CURB AND GUTTER
C.B.	CATCH BASIN
CH.	CHORD DISTANCE
CH.L.F.	CHAIN LINK FENCE
C/L	CENTER LINE
(C)	CALCULATED
C.B.S.	CONCRETE BLOCK AND STUCCO
CL	CLEAR
C.M.E.	CANAL MAINTENANCE EASEMENT
CONC.	CONCRETE
COR.	CORNER
CT.	COURT
D.B.	DEED BOOK
D.C.R.	DADE COUNTY RECORD
D.E.	DRAINAGE EASEMENT
D/H	DRILL HOLE
D/W	DRIVEWAY
E	EAST
ENC.	ENCROACHMENT
E.O.W.	EDGE OF WATER
F	FENCE
FD.	FOUND
F.H.	FIRE HYDRANT
FD. I.P.	FOUND IRON PIPE
F.F.L.ELEV.	FINISH FLOOR ELEVATION
F.P.L.	FLORIDA POWER AND LIGHT CO.
L	LENGTH
L.M.E.	LAKE MAINTENANCE EASEMENT
M.E.	MAINTENANCE EASEMENT
M.F.	METAL FENCE
M.H.S.S.	MANHOLE SANITARY SEWER
M/L	MONUMENT LINE
(M)	MEASURED
N	NORTH
N/D	NAIL AND DISC
N.G.V.D.	NATIONAL GEODETIC VERTICAL DATUM
N.T.S.	NOT TO SCALE
O/H	OVER HANG
O.R.B.	OFFICIAL RECORD BOOK
O.U.L.	OVERHEAD UTILITY LINE
(P)	PLAT
P.B.	PLAT BOOK
P.C.	POINT OF CURVATURE
P.C.C.	POINT OF COMPOUND CURVATURE
P.C.P.	PERMANENT CONTROL POINT
PG.	PAGE
P.I.	Point of Intersection
P.K.	PARKER KALON
PKWY.	PARKWAY
P.L.S.	PROFESSIONAL LAND SURVEYOR
P/L	PROPERTY LINE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
P.R.C.	POINT OF REVERSE CURVATURE
P.R.M.	PERMANENT REFERENCE MONUMENT
P.T.	POINT OF TANGENCY
(R)	RECORD
RE-BAR	REINFORCEMENT BAR
(R/M)	RECORD AND MEASURED
RES.	RESIDENCE
R/W	RIGHT-OF-WAY
S	SOUTH
SEC.	SECTION
S.I.P.	SET IRON PIPE
SWK.	SIDEWALK
(TYP.)	TYPICAL
TERR.	TERRACE
U.E.	UTILITY EASEMENT
U.P.	UTILITY PLOLE
W.F.	WOOD FENCE
W.M.	WATER METER
W.	WEST

L.B. # 8077
8127 SW 120 STREET
MIAMI FLORIDA 33156
TEL:(786) 242-7692 DADE, (954) 779-3288 BRWD
FAX:(786) 242-6494 DADE, (954) 779-3260 BRWD
E-MAIL: tjksurveys@gmail.com

THOMAS J. KELLY
SURVEYORS-MAPPERS
LAND PLANNERS

BOUNDARY SURVEY

DATE	8/16/2016
SCALE	N.T.S.
DRAWN BY	J.P. IV
ORDER No.	16-1507
SHEET	1 OF 1

THOMAS J KELLY
Land Surveyors

CERTIFY TO:

RUDY MARTINEZ AND GLEIBYS SANCHEZ
CALIBER HOME LOANS INC, ITS SUCCESSORS
AND/OR ASSIGNS, A.T.I.M.A
NUWORLD TITLE, LLC
NORTH AMERICAN TITLE INSURANCE COMPANY

LEGAL DESCRIPTION:

LOT: 14
BLOCK: 33
SUBDIVISION: MIAMI LAKES MARTHA SECTION
ACCORDING TO THE PLAT THEREOF AS RECORDED IN
PLAT BOOK: 86 PAGE: 76
PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

ADDRESS:

7201 MIAMI LAKEWAY
MIAMI LAKES, FLORIDA 33014

FLOOD ZONE INFORMATION:

THE NFIP FLOOD MAPS HAVE DESIGNATED
THE HEREIN DESCRIBED LAND TO BE LOCATED
IN FLOOD ZONE: 'AE'
PANEL: 114
SUFFIX: L
COMMUNITY: 120686
DATE OF FIRM: 09-11-2009

THE SUBJECT PROPERTY DOES LIE WITHIN A
SPECIAL FLOOD HAZARD AREA

Notes:

A) All Clearances and / or encroachments shown hereon are of apparent nature. Fence ownership by visual means. Legal ownership of fences not determined.
B) This survey is intented for mortgage or refinance purposes only exclusively for this use by those to whom it is certified. This survey is not to be used for construction, permitting, design, or any other use whithout written consent of Thomas J. Kelly .Inc.
C) Code restriction and title search are not reflected on this survey.
D) The flood information shown hereon does not imply that the referenced property will or will not be free from flooding or damage and does not create liability on the part of the firm, any officer or employee thereof for any damage that results from reliance on said information.
E) The lands depicted hereon were surveyed per the legal description and no claims as to ownership or matters of title are made or implied.
F) Underground Encroachments, if any, not located.
I hereby certify that the survey represented hereon meets the minimum technical standards set forth by the Board of Land Surveyors in Chapter 5J-17.050 to 17.052 Florida Administrative Code persuant to Section 472.027 Fla. Statutes.
G) If shown, bearing are to an assumed meridian (by plat)
H) If shown, elevations are referred N.G.V.D. 1929
I) This is a boundary survey

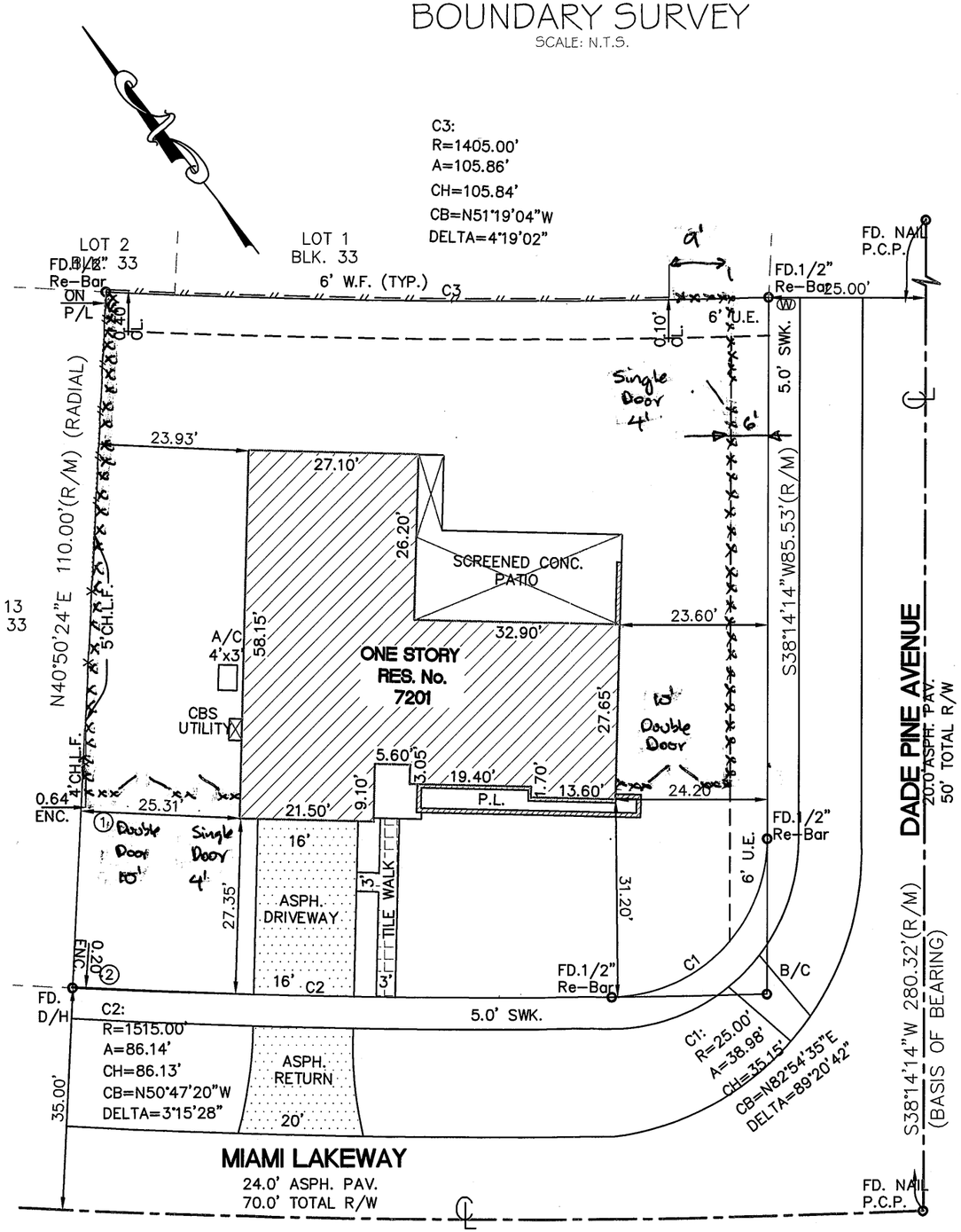
JOSE A. PEREA CERTIFICATE No. 4858 STATE OF FLORIDA PROFESSIONAL SURVEYOR & MAPPER

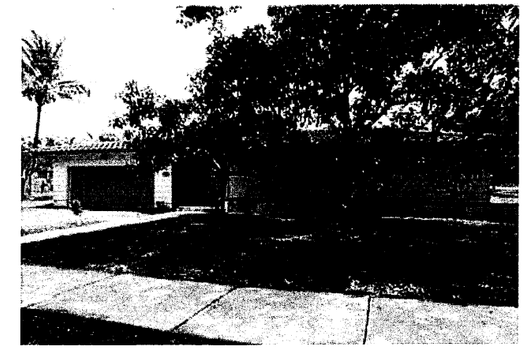
Jose A Perea 08/16/2016

Digitally signed by Jose A Perea
DN: c=US, o=Walden Trust ACES Usaffiliated Individual, cn=Jose A Perea, 0.9.2342.19200300.100.1.1=A01097C000001533500A8475000004E20
Date: 2016.08.17 14:06:41 -04'00'

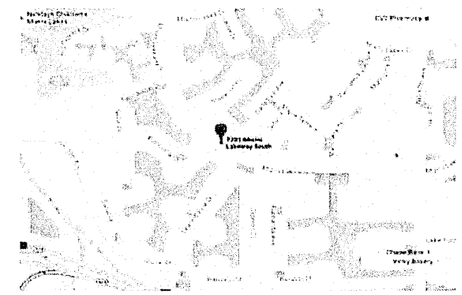
JOSE A. PEREA, P.S & M # 4858
STATE OF FLORIDA
NOT VALID UNLESS IMPRINTED WITH EMBOSSED SURVEYORS'S SEAL

BOUNDARY SURVEY
SCALE: N.T.S.





VIEW OF SUBJECT PROPERTY



VICINITY MAP

ENCROACHMENTS NOTED: TWO (2)

1. A 4' CH.L.F. ENC UP TO0.64' INTO SUBJECT PROPERTY
2. A CONC. SDWK. ENC.UP TO 0.2' INTO SUBJECT PROPERTY

LEGEND OF SURVEY ABBREVIATIONS

ADJ.	ADJACENT
A/C	AIR CONDITIONER
ASPH. PAV.	ASPHALT PAVEMENT
B/C	BLOCK CORNER
BLDG.	BUILDING
BLK.	BLOCK
B.M.	BENCH MARK
B.C.R.	BROWARD COUNTY RECORD
C/G	CURB AND GUTTER
C.B.	CATCH BASIN
CH.	CHORD DISTANCE
CH.L.F.	CHAIN LINK FENCE
C/L	CENTER LINE
(C)	CALCULATED
C.B.S.	CONCRETE BLOCK AND STUCCO
CL	CLEAR
C.M.E.	CANAL MAINTENANCE EASEMENT
CONC.	CONCRETE
COR.	CORNER
CT.	COURT
D.B.	DEED BOOK
D.C.R.	DADE COUNTY RECORD
D.E.	DRAINAGE EASEMENT
D/H	DRILL HOLE
D/W	DRIVEWAY
E	EAST
ENC.	ENCROACHMENT
E.O.W.	EDGE OF WATER
F	FENCE
FD.	FOUND
F.H.	FIRE HYDRANT
FD. I.P.	FOUND IRON PIPE
F.FL.ELEV.	FINISH FLOOR ELEVATION
F.P.L.	FLORIDA POWER AND LIGHT CO.
L	LENGTH
L.M.E.	LAKE MAINTENANCE EASEMENT
M.E.	MAINTENANCE EASEMENT
M.F.	METAL FENCE
M.H.S.S.	MANHOLE SANITARY SEWER
M/L	MONUMENT LINE
(M)	MEASURED
N	NORTH
N/D	NAIL AND DISC
N.G.V.D.	NATIONAL GEODETIC VERTICAL DATUM
N.T.S.	NOT TO SCALE
O/H	OVER HANG
O.R.B.	OFFICIAL RECORD BOOK
O.U.L.	OVERHEAD UTILITY LINE
(P)	PLAT
P.B.	PLAT BOOK
P.C.	POINT OF CURVATURE
P.C.C.	POINT OF COMPOUND CURVATURE
P.C.P.	PERMANENT CONTROL POINT
PG.	PAGE
P.I.	Point of Intersection
P.K.	PARKER KALON
PKWY.	PARKWAY
P.L.S.	PROFESSIONAL LAND SURVEYOR
P/L	PROPERTY LINE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
P.R.C.	POINT OF REVERSE CURVATURE
P.R.M.	PERMANENT REFERENCE MONUMENT
P.T.	POINT OF TANGENCY
(R)	RECORD
RE-BAR	REINFORCEMENT BAR
(R/M)	RECORD AND MEASURED
RES.	RESIDENCE
R/W	RIGHT-OF-WAY
S	SOUTH
SEC.	SECTION
S.I.P.	SET IRON PIPE
SWK.	SIDEWALK
(TYP.)	TYPICAL
TERR.	TERRACE
U.E.	UTILITY EASEMENT
U.P.	UTILITY PLOLE
W.F.	WOOD FENCE
W.M.	WATER METER
W	WEST

L.B. # 8077
8127 SW 120 STREET
MIAMI FLORIDA 33156
TEL:(786) 242-7692 DADE, (954) 779-3288 BRWD
FAX:(786) 242-6494 DADE, (954) 779-3260 BRWD
E-MAIL: tjksurveys@gmail.com

THOMAS J. KELLY
SURVEYORS-MAPPERS
LAND PLANNERS

BOUNDARY SURVEY

DATE	8/16/2016
SCALE	N.T.S.
DRAWN BY	J.P. IV
ORDER No.	16-1507
SHEET	1 OF 1

TOWN of MIAMI LAKES
NOTICE of PUBLIC HEARING

APPLICATION NUMBER:	VARH2018-0144	APPLICANT:	Rudy Martinez
FOLIO:	32-2023-010-0140	ZONING:	RU-1
PROJECT LOCATION:	7201 Miami Lakeway South, Miami Lakes, FL 33014		

APPLICATION: **A variance from Section 13-1509(b) of the Town's Zoning Code to locate a fence in a street side yard 6, feet from the property line where a minimum 15 feet is permitted.**

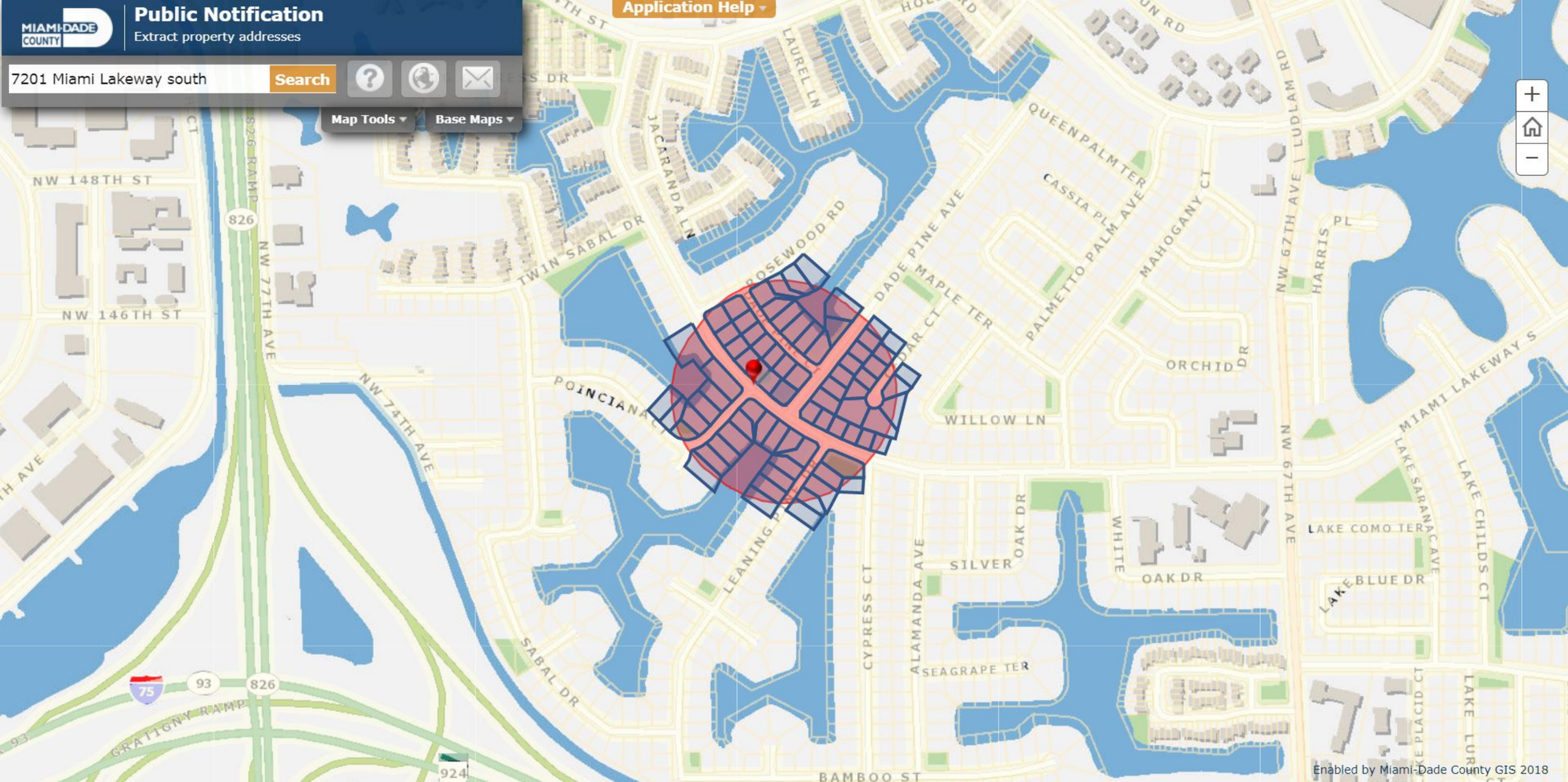
HEARING DATE: **Tuesday, April 17, 2018, at 6:00 PM**
Town Hall Chambers, 6601 Main Street,
Miami Lakes, Florida 33014

Copies of all materials are available for public inspection during regular business hours at Town Hall, 6601 Main Street, Miami Lakes, Florida, 33014. Anyone needing additional information should contact the Office of the Town Clerk by calling (305) 364-6100.

YOU ARE NOT REQUIRED TO RESPOND TO THIS NOTICE: All persons interested may appear in person, by attorney or agent, by letter or by email at pz@miamilakes-fl.gov and express objection or support. All documentation pertaining to this item is on file in the Office of the Town Clerk located at 6601 Main Street, Miami Lakes, FL 33014. Any hearing may be opened and continued, and under such circumstances, additional legal notice may be provided only as required by law. Please contact Town Hall at (305) 364-6100 for additional information. If you need special accommodations to participate in the hearing, including mobility, hearing or visual assistance, as per the American with Disabilities Act, please contact the Town Clerk at least two (2) days before the hearing.

Town of Miami Lakes

«Property Owner Name»
«Mailing Address»
«Mailing City and State»,«Mailing Zip Code»


Public Notification
Extract property addresses
7201 Miami Lakeway south
Search
Map Tools
Base Maps
Application Help
NW 148TH ST
NW 146TH ST
826
NW 77TH AVE
826 RAMP
TWIN SABAL DR
JACARANDA LN
LAUREL LN
ROSEWOOD RD
DADE PINE AVE
MAPLE TER
CAR CT
QUEEN PALM TER
CASSIA PL
PALMETTO PALM AVE
MAHOGANY CT
NW 67TH AVE | LUDLAM RD
HARRIS PL
ORCHID DR
MIAMI LAKEWAY S
POINCIANA
NW 74TH AVE
WILLOW LN
LEANING
SABAL DR
CYPRESS CT
ALAMANDA AVE
SILVER OAK DR
WHITE OAK DR
NW 67TH AVE
LAKE COMO TER
LAKE SARANAC AVE
LAKE CHILDS CT
LAKE BLUE DR
SEAGRAPE TER
75
93
826
GRATIGNY RAMP
924
BAMBOO ST
Enabled by Miami-Dade County GIS 2018

Folio	Property Owner Name	Property Address	Property City	Property Zip Code	Mailing Address	Mailing City and State	Mailing Zip Code	Land Use
32-2023-003-2040	Adalberto Gonzalez	14421 DADE PINE AVE	Miami Lakes	33014-2621	14421 Dade Pine Ave	MIAMI LAKES, FL	33014-2621	0101
32-2023-010-0010	Adolfo J Hernandez & Marlene	7202 DADE PINE CT	Miami Lakes	33014-2632	7202 Dade Pine Ct	MIAMI LAKES, FL	33014-2632	0101
32-2023-010-0200	Alejandro Montesino Jtrs	14421 ROSEWOOD RD	Miami Lakes	33014-2653	14421 Rosewood Rd	HIALEAH, FL	33014	0101
32-2023-010-0090	Ana M Cruz	7251 MIAMI LAKEWAY	Miami Lakes	33014-2603	7251 Miami Lakeway S	MIAMI LAKES, FL	33014	0101
32-2023-008-0530	Angel F Perez Jr	14340 LEANING PINE DR	Miami Lakes	33014-2517	14340 Leaning Pine Dr	MIAMI LAKES, FL	33014	0101
32-2023-008-1290	Anthony Dieguez Trs	7220 POINCIANA CT	Miami Lakes	33014-2519	7220 Poinclana Ct	MIAMI LAKES, FL	33014	0101
32-2023-003-2230	Armando J Villalonga &W	14421 CEDAR CT	Miami Lakes	33014-2617	14421 Cedar Ct	MIAMI LAKES, FL	33014	0101
32-2023-010-0100	Arthur Richard Schrage Jr Trs	7241 MIAMI LAKEWAY	Miami Lakes	33014-2603	7241 Miami Lakeway S	MIAMI LAKES, FL	33014	0101
32-2023-010-0190	Arturo De La Nuez &W Diana	7243 DADE PINE CT	Miami Lakes	33014-2631	7243 Dade Pine Ct	MIAMI, FL	33014-2631	0101
32-2023-003-2160	Baltasar Calafell	14500 CEDAR CT	Miami Lakes	33014-2620	14500 Cedar Ct	MIAMI LAKES, FL	33014-2620	0101
32-2023-003-2210	Bernardo E Montero	14401 CEDAR CT	Miami Lakes	33014-2617	14401 Ceder Ct	MIAMI LAKES, FL	33014	0101
32-2023-003-2600	Berta M Pelegrino & Alina	7041 MIAMI LAKEWAY S	Miami Lakes	33014-2926	7041 Miami Lakeway S	MIAMI LAKES, FL	33014	0101
32-2023-005-0700	Bobby J Thompson &W Patricia L	14341 LEANING PINE DR	Miami Lakes	33014-2516	14341 Leaning Pine Dr	MIAMI LAKES, FL	33014-2516	0101
32-2023-003-2610	Catalina Rodriguez	7101 MIAMI LAKEWAY S	Miami Lakes	33014-2601	7101 Miami Lakeway	MIAMI LAKES, FL	33014-2601	0101
32-2023-010-0180	Clara Santana	7233 DADE PINE CT	Miami Lakes	33014-2631	7233 Dade Pine Ct	MIAMI LAKES, FL	33014-2631	0101
32-2023-013-0020	Diego Cayon &W Bertha & Ivonne	14500 DADE PINE AVE	Miami Lakes	33014-2624	14500 Dade Pine Ave	MIAMI LAKES, FL	33014-2624	0101
32-2023-010-0120	Eduardo Diaz &W Odalys	7221 MIAMI LAKEWAY	Miami Lakes	33014-2603	7221 Miami Lakeway South	MIAMI LAKE, FL	33014-2603	0101
32-2023-003-2620	Eduardo F Gomez	7111 MIAMI LAKEWAY S	Miami Lakes	33014-2601	7111 S Miami Lakeway	MIAMI LAKES, FL	33014	0101
32-2023-003-2070	Eduardo Lacau	14521 DADE PINE AVE	Miami Lakes	33014-2623	14521 Dade Pine Ave	MIAMI LAKES, FL	33014	0101
32-2023-008-1370	Elizabeth Delgado Tr	7275 POINCIANA CT	Miami Lakes	33014-2518	7275 Poinciana Ct	HIALEAH, FL	33014-2518	0101

32-2023-005-0720	Felix F Llibre &W Carmen G	14361 LEANING PINE DR	Miami Lakes	33014-2516	14361 Leaning Pine Dr	MIAMI, FL	33014-2516	0101
32-2023-008-1270	Generoso Mercedes Rojas	7240 POINCIANA CT	Miami Lakes	33014-2519	7240 Poinciana Ct	MIAMI LAKES, FL	33014-2519	0101
32-2023-010-0110	Genoveva Vallee	7231 MIAMI LAKEWAY	Miami Lakes	33014-2603	7231 Miami Lakeway S	HIALEAH, FL	33014	0101
32-2023-008-1360	Gerardo Usallan Jr &W Susan	7265 POINCIANA CT	Miami Lakes	33014-2518	7265 Poinciana Ct	MIAMI LAKES, FL	33014-2518	0101
32-2023-010-0030	Gilberto E Santiesteban	7222 DADE PINE CT	Miami Lakes	33014-2632	7222 Dade Pine Ct	HIALEAH, FL	33014	0101
32-2023-003-2080	Gonzalo Montes De Oca &W Miriam J	14531 DADE PINE AVE	Miami Lakes	33014-2623	14531 Dade Pine Ave	MIAMI LAKE, FL	33014-2623	0101
32-2023-008-0550	Grisel Diaz	14320 LEANING PINE DR	Miami Lakes	33014-2517	14320 Leaning Pine Dr	MIAMI LAKES, FL	33014-2517	0101
32-2023-008-1260	Guido R Herrera &W Rosa	7244 POINCIANA CT	Miami Lakes	33014-2519	7244 Poinciana Ct	HIALEAH, FL	33014-2519	0101
32-2023-008-0520	Gustavo A Garbalosa &W Patsy	14350 LEANING PINE DR	Miami Lakes	33014-2517	14350 Leaning Pine Dr	MIAMI, FL	33014-2517	0101
32-2023-008-1320	Heidi Wolfson	7215 POINCIANA CT	Miami Lakes	33014-2518	7215 Poincianna Ct	MIAMI LAKES, FL	33014-2518	0101
32-2023-010-0060	Jean Martinez &W Christina	7252 DADE PINE CT	Miami Lakes	33014-2632	7252 Dade Pine Ct	MIAMI LAKES, FL	33014-2632	0101
32-2023-010-0050	Jose B Gomez &W Lillian M	7242 DADE PINE CT	Miami Lakes	33014-2632	7242 Dade Pine Ct	MIAMI, FL	33014-2632	0101
32-2023-010-0070	Jose Gallardo &W Wanda	7262 DADE PINE CT	Miami Lakes	33014-2632	7262 Dade Pine Ct	MIAMI LAKES, FL	33014-2632	0101
32-2023-003-2030	Jose Lopez &W Lydia	14411 DADE PINE AVE	Miami Lakes	33014-2621	14411 Dade Pine Ave	MIAMI LAKES, FL	33014-2621	0101
32-2023-010-0220	Juan Vazquez	14441 ROSEWOOD RD	Not Available	33014-2653	14441 Rosewood Rd	MIAMI LAKES, FL	33014	0101
32-2023-003-2570	Julio Campa & Nancy Coleman	7011 MIAMI LAKEWAY S	Miami Lakes	33014-2926	7011 Miami Lakeway S	MIAMI LAKES, FL	33014-2926	0101
32-2023-003-2580	Julio Fernandez &W Aymee	7021 MIAMI LAKEWAY S	Miami Lakes	33014-2926	7021 Miami Lakeway S	MIAMI LAKES, FL	33016	0101
32-2023-003-2240	Leonor Lee Medina Le	14431 CEDAR CT	Miami Lakes	33014-2617	14431 Cedar Ct	MIAMI LAKES, FL	33014	0101
32-2023-008-0540	Luis Diz	14330 LEANING PINE DR	Miami Lakes	33014-2517	14330 Leaning Pine Dr	MIAMI LAKES, FL	33014	0101
32-2023-008-1330	Luis Espinosa &W Bertha	7225 POINCIANA CT	Miami Lakes	33014-2518	7225 Poinciana Ct	MIAMI LAKES, FL	33014-2518	0101
32-2023-008-0470	Lupe Lago	7210 MIAMI LAKEWAY S	Miami Lakes	33014-2604	7210 S Miami Lakeway	MIAMI LAKES, FL	33014	0101

32-2023-008-1280	Magdalena Garcia	7230 POINCIANA CT	Miami Lakes	33014-2519	7230 Poinciana Ct	MIAMI LAKES, FL	33014-2519	0101
32-2023-010-0040	Manuel A Soler &W Milagros A	7232 DADE PINE CT	Miami Lakes	33014-2632	7232 Dade Pine Ct	MIAMI LAKES, FL	33014-2632	0101
32-2023-008-0500	Manuel E Costa Family Trust	7110 MIAMI LAKEWAY S	Miami Lakes	33014-2602	7110 Miami Lakeway S	MIAMI LAKES, FL	33014	0101
32-2023-010-0130	Manuel Suarez	7211 MIAMI LAKEWAY S	Miami Lakes	33014-2603	7211 Miami Lakeway S	MIAMI LAKES, FL	33014	0101
32-2023-010-0160	Marion L White	7213 DADE PINE CT	Miami Lakes	33014-2631	7213 Dade Pine Ct	MIAMI LAKES, FL	33014-2631	0101
32-2023-008-0480	Marta Hernandez Le Etals	7200 MIAMI LAKEWAY S	Miami Lakes	33014-2604	7200 Miami Lakeway S	MIAMI LAKES, FL	33015	0101
32-2023-008-0510	Merle L Long Trs	7100 MIAMI LAKEWAY S	Miami Lakes	33014-2602	7100 Miami Lakeway S	MIAMI LAKES, FL	33014	0101
32-2023-008-1580	Miami-Dade County	Not Available	Miami Lakes	33014-0000	275 Nw 2 St 4Fl	MIAMI, FL	33128-1794	8080
32-2023-003-2180	Michael Armando Serrano	14420 CEDAR CT	Miami Lakes	33014-2618	14420 Cedar Ct	MIAMI LAKES, FL	33014	0101
32-2023-010-0020	Miguel A Perez &W Odalys	7212 DADE PINE CT	Miami Lakes	33014-2632	7212 Dade Pine Ct	MIAMI, FL	33014-2632	0101
32-2023-013-0010	Miguel J Boscan	7203 DADE PINE CT	Miami Lakes	33014-2631	7203 Dade Pine Ct	MIAMI LAKES, FL	33014	0101
32-2023-003-2190	Nery Pineyro	14410 CEDAR CT	Miami Lakes	33014-2618	14410 Cedar Ct	MIAMI LAKES, FL	33014	0101
32-2023-003-2220	Orlando Delcastillo &W Ana	14411 CEDAR CT	Miami Lakes	33014-2617	14411 Cedar Ct	MIAMI LAKES, FL	33014-2617	0101
32-2023-005-0140	Orlando S Nerin &W Ana M	14310 CYPRESS CT	Miami Lakes	33014-2959	14310 Cypress Ct	MIAMI LAKES, FL	33014-2959	0101
32-2023-003-2060	Oscar Grau	14511 DADE PINE AVE	Miami Lakes	33014-2623	14511 Dade Pine Ave	MIAMI LAKES, FL	33014	0101
32-2023-008-1250	Pablo J Perez	7250 POINCIANA CT	Not Available	33014-2519	7250 Poinciana Ct	MIAMI LAKES, FL	33014	0101
32-2023-008-1340	Pamela E Gade	7235 POINCIANA CT	Miami Lakes	33014-2518	7235 Poinciana Ct	MIAMI LAKES, FL	33014	0101
32-2023-008-1350	Patricia Ward Mills Trs	7245 POINCIANA CT	Miami Lakes	33014-2518	7245 Poinciana Ct	MIAMI LAKES, FL	33014	0101
32-2023-003-2170	Pedro Vega &W Maria	14430 CEDAR CT	Miami Lakes	33014-2618	14430 Cedar Ct	MIAMI LAKES, FL	33014-2618	0101
32-2023-003-2150	Phyllis Goslin	14510 CEDAR CT	Miami Lakes	33014-2620	14510 Cedar Ct	MIAMI LAKES, FL	33014-2620	0101
32-2023-005-0710	Raul Companioni	14351 LEANING PINE DR	Miami Lakes	33014-2516	14351 Leaning Dr	MIAMI LAKES, FL	33014	0101
32-2023-010-0170	Reinaldo O Valdes &W Isel M	7223 DADE PINE CT	Miami Lakes	33014-2631	7223 Dade Pine Ct	MIAMI LAKES, FL	33014-2631	0101

32-2023-003-2020	Ricardo N Outerino	14401 DADE PINE AVE	Miami Lakes	33014-2621	14401 Dade Pine Ave	MIAMI LAKES, FL	33014	0101
32-2023-010-0210	Richard A Yanez & Angelica M	14431 ROSEWOOD RD	Miami Lakes	33014-2653	14431 Rosewood Rd	MIAMI LAKES, FL	33014-2653	0101
32-2023-008-1570	Richard W Wasserman	7230 MIAMI LAKEWAY S	Miami Lakes	33014-2676	7230 Miami Lakeway South	MIAMI LAKES, FL	33014-2676	0101
32-2023-008-0490	Ruben E Ledezma &W Celia	7120 MIAMI LAKEWAY S	Miami Lakes	33014-2602	7120 Miami Lakeway St	MIAMI LAKES, FL	33018	0101
32-2023-010-0140	Rudy Martinez	7201 MIAMI LAKEWAY	Miami Lakes	33014-2603	6925 W 16 Dr	HIALEAH, FL	33014	0101
32-2023-010-0230	Samuel Ling &W Lynette	14501 ROSEWOOD RD	Miami Lakes	33014-2655	14501 Rosewood Rd	MIAMI LAKES, FL	33014-2655	0101
32-2023-003-2050	Sean P Schwinghammer &W Adriana C	14501 DADE PINE AVE	Miami Lakes	33014-2623	14501 Dade Pine Ave	MIAMI, FL	33014-2623	0101
32-2023-010-0080	Travis W Ramsey	7261 MIAMI LAKEWAY	Miami Lakes	33014-2603	7261 Miami Lakeway South	MIAMI LAKES, FL	33014	0101
32-2023-005-0690	Wardell Johnson	14331 LEANING PINE DR	Miami Lakes	33014-2516	14331 Leaning Pine Dr	MIAMI LAKES, FL	33014	0101
32-2023-003-2590	Wayne Johnson	7031 MIAMI LAKEWAY S	Miami Lakes	33014-2926	7031 Miami Lakeway South	MIAMI LAKES, FL	33014-2926	0101

MIAMI LAKES
Growing Beautifully

Planning, Zoning, and Code Compliance Department

PLANNING AND ZONING PUBLIC HEARING APPLICATION

_____ File #

3/7/18 Date Received

_____ Date of Pre-application Meeting

NOTE TO APPLICANTS: A pre-application meeting with the Town's Planning and Zoning Department staff is required prior to official application filing. Please call 305 364-6100 for an appointment.

1. Name of Applicant Rudy Martinez
   a. If applicant is owner, give name exactly as recorded on deed.
   b. If applicant is lessee, attach copy of valid lease of 1 year or more and Owner's Sworn-to-Consent form.
   c. If applicant is corporation, partnership, limited partnership, or trustee, a separate Disclosure of Interest form must be completed.

   Mailing Address 7201 Miami Lakeway S

   City Miami Lakes State FL ZIP 33014

   Tel. # (during working hours) (786) 486-0211 Other _____

   E-Mail: vmp2345@yahoo.es Mobile #: (786) 486-0211

2. Name of Property Owner Rudy Martinez

   Mailing Address 7201 Miami Lakeway S

   City Miami Lakes State FL ZIP 33014

   Tel. # (during working hours) (786) 486-0211 Other _____

3. Contact Person Rudy Martinez

   Mailing Address 7201 Miami Lakeway S

   City Miami Lakes State FL ZIP 33014

   Tel. # (during working hours) _____ Other _____

   E-Mail: vmp2345@yahoo.es Mobile #: (786) 486-0211

4. LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THE APPLICATION
   a. If subdivided, provide lot, block, complete name of subdivision, plat book and page number.
   b. If metes and bounds description, provide complete description (including section, township, and range). c. Attach a separate typed sheet, if necessary. Please verify the accuracy of your legal description

   Miami Lakes - Lake Martha Section

   PB 86-76, LOT 14 BLK 33, LOT Size 108 x 110

F/A/U 30-2023-010-0140

MIAMI LAKES
Growing Beautifully

5. Address or location of property (including section, township, and range): 7201 Miami Lakeway S, Miami Lakes, FL 33014

6. Size of property: 108 × 110 Acres 0.27

7. Date subject property ☑ acquired or ☐ leased 13 day of Janaury 2017

Term of lease; N/A years/months.

8. Does property owner own contiguous property to the subject property? If so, give complete legal description of entire contiguous property. (If lengthy, please type on a sheet labeled "Contiguous Property.")

N/A

9. Is there an option to ☐ purchase or ☐ lease the subject property or property contiguous thereto? ☐ Yes ☑ No

If yes, who are the potential purchasers or lessees? (Complete section of Disclosure of Interest form, also.)

N/A

10. Present zoning classification(s): _____ Present land use classification(s): _____

11. REQUEST(S) COVERED UNDER THIS APPLICATION:

Please check the appropriate box and give a brief description of the nature of the request in the space provided. Be advised that all zone changes require concurrent site plan approval.

☐ District Boundary (Zone) Change(s):
Zoning Requested: _____

☐ Future Land Use Map (FLUM) Amendment:
Future Land Use Requested: _____

☐ Site Plan Approval _____

☑ Variance Fence within the 15-foot setback to the side street

☐ Preliminary Plat Approval: _____

☐ Final Plat Approval: _____

☐ Modification of Previous Resolution/Plan/Ordinance _____

☐ Modification of Declaration or Covenant _____

12. Has a public hearing been held on this property within the last year and a half? ☐ Yes ☑ No

If yes, applicant's name _____ Date of Hearing _____

Nature of Hearing _____

Decision of Hearing _____ Resolution # _____

13. Is this hearing being requested as a result of a violation notice? ☐ Yes ☑ No

If yes, give name to whom violation notice was served _____

Nature of violation _____

MIAMI LAKES
Growing Beautifully

14. Are there any existing structures on the property? ❑ Yes ☑ No

    If yes, briefly describe _____

15. Is there any existing use on the property? ❑ Yes ☑ No

    If yes, what is the use and when was it established? _____

OWNERSHIP AFFIDAVIT
FOR
INDIVIDUAL

STATE OF FLORIDA

Public Hearing No. _____

COUNTY OF MIAMI–DADE

Before me, the undersigned authority, personally appeared, hereinafter the Affiants, who being first duly sworn by me, on oath, depose and say:

1. Affiants are the fee owners of the property which is the subject of the proposed hearing.
2. The subject property is legally described as: Miami Lakes - Lake Martha Section PB 86-76, LOT 14 BLK 33, LOT Size 108 X 110 F/A/U 30-2023-010-0140
3. Affiants understand this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

Witnesses:

Signature

Alexander Sanchez
Print Name

Susana Naranjo
Signature

SUSANA NARANJO
Print Name

Sworn to and subscribed before me on the 7th day of March, 2018. Affiant is personally known to me or has produced M635-720-83-268-0 as identification.

ALEXANDER SANCHEZ
MY COMMISSION # GG 155102
EXPIRES: October 26, 2021
Bonded Thru Notary Public Underwriters

Notary
(Stamp/Seal)

My Commission Expires: 10/26/21

GG 155102

Witnesses:

Signature

Print Name

Signature

Print Name

Sworn to and subscribed before me on the _____ day of _____, 20___. Affiant is personally known to me or has produced _____ as identification.

Notary
(Stamp/Seal)
My Commission Expires: _____

OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 3/7/2018

Property Information	
Folio:	32-2023-010-0140
Property Address:	7201 MIAMI LAKEWAY Miami Lakes, FL 33014-2603
Owner	RUDY MARTINEZ GLEIBYS SANCHEZ
Mailing Address	6925 W 16 DR HIALEAH, FL 33014 USA
PA Primary Zone	0100 SINGLE FAMILY - GENERAL
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths / Half	4 / 2 / 0
Floors	1
Living Units	1
Actual Area	2,820 Sq.Ft
Living Area	1,943 Sq.Ft
Adjusted Area	2,376 Sq.Ft
Lot Size	1 Sq.Ft
Year Built	1970

Assessment Information			
Year	2017	2016	2015
Land Value	$130,895	$124,660	$111,303
Building Value	$184,140	$185,625	$173,638
XF Value	$1,167	$1,180	$961
Market Value	$316,202	$311,465	$285,902
Assessed Value	$316,202	$311,465	$285,902

Taxable Value Information			
	2017	2016	2015
County			
Exemption Value	$0	$0	$0
Taxable Value	$316,202	$311,465	$285,902
School Board			
Exemption Value	$0	$0	$0
Taxable Value	$316,202	$311,465	$285,902
City			
Exemption Value	$0	$0	$0
Taxable Value	$316,202	$311,465	$285,902
Regional			
Exemption Value	$0	$0	$0
Taxable Value	$316,202	$311,465	$285,902

Benefits Information				
Benefit	Type	2017	2016	2015

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description
MIAMI LAKES - LAKE MARTHA SEC PB 86-76 LOT 14 BLK 33 LOT SIZE 108.000 X 110 F/A/U 30-2023-010-0140

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
01/13/2017	$100	30418-4903	Corrective, tax or QCD; min consideration
01/13/2017	$350,900	30387-0761	Federal, state or local government agency
01/06/2017	$100	30377-4641	Corrective, tax or QCD; min consideration
09/26/2014	$0	29349-1828	Corrective, tax or QCD; min consideration

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at http://www.miamidade.gov/info/disclaimer.asp

Version:

Town of Miami Lakes Planning & Zoning
6601 Main Street
Miami Lakes FL 33014

To whom it may concern:

We are neighbors of Rudy Martinez & Gleibys Sanchez who reside at 7201 Miami Lakeway S, Miami Lakes, FL 33014. We would like to advise the Planning & Zoning Board that we DO NOT oppose Mr. Martinez & Mrs. Sanchez's variance request of the fifteen (15) foot side-street setback. We understand that Mr. Martinez & Mrs. Sanchez intend to place a hedge along their property line with a fence directly behind the hedge six feet from their property line. We also understand the hedge and fence will run from the rear of their property line up to the front of the actual residence with a gate for ingress/egress.

ADOLFO J. HERNANDEZ
Address: 7202 DADE PINE CT.
MIAMI LAKES, FL 33014

Ricardo N. Outerino
Address:
1440 Dade Pine Ave.
Miami Lakes, FL 33014

MIGUEL A. PEREZ
7212 DADE PINE CT.
Address: MIAMI LAKES, FL 33014

7111 MIAMI LAKEWAY SOUTH
HIALEAH FL 3304
Address:

HANNER SUAREZ
Address: 7211 MIAMI LAKEWAY S.
MIAMI LAKES, FL 33014

Address:

Town of Miami Lakes

8:45 am

PLANNING ZONING AND CODE COMPLIANCE
6601 Main Street
Miami Lakes, FL 33014
(305) 364-6100

RECEIPT
Receipt No: R18153

Case No: **VARH2018-0144**
Receipt Date: **03/07/2018**

Project Type: **VARIANCE**
Paid By: **RUDY MARTINEZ & GLEIBYS SANCHE**

Project Subtype: **RES**
Pay Method: **CHECK** No.: **1195**

Folio No: **3220230100140**
Collected By: **MELBA SANCHEZ**

Site Address: **7201 MIAMI LAKEWAY, MIAMI LAKES, FL 33014**

Applicant Information	Main Contact	Owner Information
RUDY MARTINEZ & GLEIBYS SANCHE	**RUDY MARTINEZ & GLEIBYS SANCHE**	**RUDY MARTINEZ & GLEIBYS SANCHE**
7201 MIAMI LAKEWAY	**7201 MIAMI LAKEWAY**	**7201 MIAMI LAKEWAY**
MIAMI LAKES, FL 33014	**MIAMI LAKES, FL 33014**	**MIAMI LAKES, FL 33014**

Description:

7201 MIAMI LAKEWAY S / FENCE

Fee	Amount Paid
VARH- RES/1 SF, 2 FAM, TH UNIT, COST REC	$650.00
VARH- RES/1 SF, 2 FAM, TH UNIT	$750.00

RUDY MARTINEZ
GLEIBYS SANCHEZ
6925 W 16TH DR.
HIALEAH, FL 33014

63-8413 / 2670 41751

1195

DATE 3/7/18

PAY TO THE ORDER OF Town of Miami Lakes $ 1400.00

One thousand four hundred and 00/100 DOLLARS

Security Features Included. Details on Back.

CHASE
JPMorgan Chase Bank, N.A.
www.Chase.com

MEMO Variance Application

MP

⑆267084131⑆ 8658261351⑈1195

Total Amount Paid $1,400.00

www.miamilakes-fl.gov

Town of Miami Lakes
Memorandum

To: **Honorable Chairman Rodriguez and Board Members**
From: **Darby Delsalle, Planning Director**
Subject: **Exterior Surface Paint and Protection of Commercial and Industrial Structures**
Date: **4/17/2018**

Recommendation:

Staff recommends approval of the ordinance creating the "Commercial and Industrial Structures Surface Paint and Protection" provisions which provide for appropriate standards for such uses.

Background:

On February 6, 2018, the Town Council of the Town of Miami Lakes directed the Town Manager to explore provisions that address painting standards for commercial and industrial structures within the Town and report back with a possible option. The request follows on the heels of the Town's adoption of Section 13-311, "Design and architectural standards," which provided a measurable standard to guide future development within the Town. This effort aims to provide a tool for the Town to further that goal by providing a broad and general standard for the painting of exterior surfaces on structures within its commercial and industrial districts.

The following described elements are presented in the same order that they appear in the proposed ordinance.

Renaming Chapter 16. This portion of the request is merely to properly align the title of the chapter with the function of ordinances it houses, as they deal principally with "Property Standards."

Definition. Definitions are provided to clarify those paint color choices deemed undesirable which include garish, neon, obnoxious, or highly contrasted colors.

Standards. Standards are provided for the exterior portions of structures within commercial and industrial districts that requiring painting are colors that are uniform throughout the development; do not fall into the classification of garish, neon, obnoxious, or highly contrasted; that colors may be used to highlight architectural features but not create them; and that accent colors may be utilized up to 25% of a building façade.

Enforcement. The proposed ordinance relies upon Chapter 8, Code Enforcement, as the mechanism to ensure compliance. However, the ordinance also permits any property owner that has received a civil violation notice

to appeal to the Planning and Zoning Board (P&Z) for color selection approval. Appointed for the expertise in land development matters, the P&Z Board shall have the authority to determine whether the colors chosen by the property owner conform with the ordinance's Standards. During this review period, enforcement proceedings are stayed pending the outcome of the Board's decision. Upon compliance with the Board's decision, the Hearing Officer shall dismiss the case. Failure to comply with the Board's decision will result in further enforcement proceedings.

ATTACHMENTS:

Description

Ordinance

ORDINANCE NO. 18- _____

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA RELATING TO EXTERIOR SURFACE PAINT OF COMMERCIAL AND INDUSTRIAL STRUCTURES; RENAMING CHAPTER 16 TO "PROPERTY STANDARDS AND NUISANCES;" CREATING SECTION 16-2, ENTITLED "COMMERCIAL AND INDUSTRIAL STRUCTURAL AESTHETIC STANDARDS," OF THE TOWN'S CODE OF ORDINANCES; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. **(Marilyn Ruano)**

WHEREAS, the Chapter 16, of the Town's Code of Ordinances is currently entitled "Nuisances," however the regulations provided therein are also reflective of "Property Standards," and

WHEREAS, on February 6, 2018, the Town Council of the Town of Miami Lakes directed the Town Manager to explore provisions that address painting standards for commercial and industrial structures within the Town, and report back with a possible option; and

WHEREAS, this proposed ordinance is reflective of the Town Council's request by providing for a painting standard for the exteriors of structures within the Town's commercial and industrial districts, and its location is best located within Chapter 16; and

WHEREAS, on April _____, 2018, the Planning and Zoning Board, acting in its capacity as the Local Planning Agency, heard the item at a duly noticed public hearing and forwarded a recommendation of approval to the Miami Lakes Town Council; and

WHEREAS, on May ___, 2018, the Town Council at a duly noticed public hearing, moved the item on First Reading; and

WHEREAS, on June _____, 2018, the Town Council considered the ordinance at a duly advertised public hearing; and

WHEREAS, to that end, the Town Council of the Town of Miami Lakes hereby finds and declares that adoption of this Ordinance is appropriate and advances the public interest.

THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES AS FOLLOWS:

Section 1. **Recitals**. Each of the above stated recitals is true and correct and is incorporated herein by this reference.

Section 2. **Amendment.** Chapter 16 is hereby renamed, and Section 16-2, Commercial and industrial structures surface paint and protection, is hereby created as provided at Exhibit A:

Section 3. **Repeal of Conflicting Provisions**. All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.

Section 4. **Severability**. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. **Inclusion in the Town Code**. It is the intention of the Town Council, and it is hereby ordained, that the provisions of this Ordinance shall become and be made part of the Town Code and that if necessary the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Article", "Division" or other appropriate word.

Section 6. **Effective Date**. That this Ordinance shall be effective immediately upon its adoption on second reading.

The foregoing Ordinance was offered by Councilmember _____, who moved its adoption on first reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

FIRST READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on first reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid _____
Vice Mayor Nelson Rodriguez _____
Councilmember Tim Daubert _____
Councilmember Luis Collazo _____
Councilmember Ceasar Mestre _____
Councilmember Nelson Rodriguez _____
Councilmember Marilyn Ruano _____

Passed on first reading this _____ day of May, 2018.

[THIS SPACE INTENTIALLY LEFT BLANK]

SECOND READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on second reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid _____
Vice Mayor Frank Mingo _____
Councilmember Luis Collazo _____
Councilmember Tim Daubert _____
Councilmember Ceasar Mestre _____
Councilmember Nelson Rodriguez _____
Councilmember Marilyn Ruano _____

Passed and adopted on second reading this _____ day of _____, 2018.

_____
Manny Cid
MAYOR

Attest:

_____
Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

_____
Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT A

ORDINANCE

CHAPTER 16 – PROPERTY STANDARDS AND NUISANCES

ARTICLE I. – IN GENERAL

* * *

16-2 Commercial and industrial structural aesthetic standards.

(a) Purpose and Intent. The purpose of this section is to protect the aesthetic appearance of the built environment of commercial and industrial buildings and structures in the Town's commercial and industrial zoning districts.

(b) Interpretation. Interpretation of Section 16-2 shall be exclusive to the Administrative Official or his/her designee. Appeal of the Administrative Official's interpretation shall be to the Planning and Zoning Board.

(c) Definitions. For the purposes of Section 16-2 the terms below shall be as defined herein.

Garish shall mean a color(s) that is disturbingly vivid, or offensively or distressingly bright or intense.

Neon shall mean a color(s) that gives the appearance and or the actual effect of glowing when viewed with or without the presence of light.

Obnoxious shall mean a color(s) that is odiously or disgustingly objectionable, or highly offensive.

Highly contrasted colors shall mean colors with great difference in hue, saturation, or value, as may be reflective by their distance from each other on the color spectrum, or as they differ in range from very light to very dark.

(c) Standards.

(1) Color(s) shall be compatible with the surrounding area and used to complement the development. Garish, neon, visually obnoxious or highly contrasted colors are prohibited.

(2) Paint color should be used to highlight architectural forms and details but not to create them. Exterior stone or tile surfaces shall not be painted unless complementary to the development.

(3) No more than 25% of the façade of a building may be painted with an accent color.

(d) Enforcement. Violation of this section shall be enforced pursuant to Chapter 8 of the Town's Code of Ordinances. However, an owner of property that has received a civil violation notice may opt to appeal to the Town's Planning and Zoning Board for approval of the color(s). The application fee shall be $500 and notice of hearing shall be pursuant to Chapter 8. The Board shall determine if the requested colors conform to the Standards and Definitions provisions of

section 16-2. Enforcement of the civil violation notice shall be stayed pending the decision of the Board. The Board's order shall be final, and the civil violation notice shall be dismissed upon compliance with the Board's decision. Compliance shall be within 60 days of the Board's decision or as otherwise prescribed by the Board. Failure to comply with the Board's decisions shall result in further enforcement proceedings as provided by Chapter 8.

Town of Miami Lakes
Memorandum

To: **Honorable Chairman Rodriguez and Board Members**
From: **Darby Delsalle, Planning Director**
Subject: **Repeal of Twelve (12) Copy Requirement**
Date: **4/17/2018**

Recommendation:

Staff recommends approval of the ordinance that eliminates the obsolete provision of requiring 12 copies of the plans subject to a site plan public hearing.

Background:

At the time of the adoption of the Town's Code, the prevailing medium for the submission of site plan applications for public hearing was by way of a paper transmittal. The mode was reflective of a process that predated current technology advances that renders such need as obsolete. Today, plans submitted for hearing are scanned from a single set and published and transmitted electronically. As such the requirement for twelve copies of a plan set is unnecessary.

Implementation of the proposed ordinance is consistent with the One-for-One Policy established by the Town Council on April 3, 2018, which seeks, as a matter of policy, to delete obsolete provisions of Town Code when a new regulation is being adopted.

ATTACHMENTS:
Description
Ordinance
Staff Report

ORDINANCE NO. 18- _____

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATED TO SITE PLAN APPLICATION REQUIREMENTS, AMENDING SECTION 13-304(e)(1), '"SITE PLAN APPROVALS – APPLICATIONS," REPEALING THE REQUIREMENT THAT TWELVE (12) COPIES OF A SITE PLAN FOR PUBLIC HEARING CONSIDERATION BE SUBMITTED; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (One-for-One Policy)

WHEREAS, on April 3, 2018, The Town Council of the Town of Miami Lakes moved, as a matter of policy, to require that for any new regulation adopted, another obsolete regulation must be removed from the Town's Code of Ordinances (AKA One-for-One Policy); and

WHEREAS, in light of new regulation being considered by the Town Council, staff identified an obsolete ordinance related to public hearing site plan applications; and

WHEREAS, with the advancement of digital technology that eliminates the need for additional printed paper copies, it is no longer necessary for an applicant requesting a public hearing site plan to submit twelve (12) copies of the proposed plans; and

WHEREAS, on April _____, 2018, the Planning and Zoning Board, acting in its capacity as the Local Planning Agency, heard the item at a duly noticed public hearing and forwarded a recommendation of approval to the Miami Lakes Town Council; and

WHEREAS, on May ___, 2018, the Town Council at a duly noticed public hearing, moved the item on First Reading; and

WHEREAS, on June _____, 2018, the Town Council considered the ordinance at a duly advertised public hearing; and

WHEREAS, to that end, the Town Council of the Town of Miami Lakes hereby finds and declares that adoption of this Ordinance is appropriate and advances the public interest.

THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES AS FOLLOWS:

Section 1. **Recitals**. Each of the above stated recitals is true and correct and is incorporated herein by this reference.

Section 2. **Amendment.** Section 1-304, Site plan approval, is hereby amended as provided at Exhibit A:

Section 3. **Repeal of Conflicting Provisions**. All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.

Section 4. **Severability**. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. **Inclusion in the Town Code**. It is the intention of the Town Council, and it is hereby ordained, that the provisions of this Ordinance shall become and be made part of the Town Code and that if necessary the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Article", "Division" or other appropriate word.

Section 6. **Effective Date**. That this Ordinance shall be effective immediately upon its adoption on second reading.

The foregoing Ordinance was offered by Councilmember _____, who moved its adoption on first reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

FIRST READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on first reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid _____
Vice Mayor Frank Mingo _____
Councilmember Luis Collazo _____
Councilmember Tim Daubert _____
Councilmember Ceasar Mestre _____
Councilmember Nelson Rodriguez _____
Councilmember Marilyn Ruano _____

Passed on first reading this _____ day of May, 2018.

[THIS SPACE INTENTIALLY LEFT BLANK]

SECOND READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on second reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid _____
Vice Mayor Frank Mingo _____
Councilmember Luis Collazo _____
Councilmember Tim Daubert _____
Councilmember Ceasar Mestre _____
Councilmember Nelson Rodriguez _____
Councilmember Marilyn Ruano _____

Passed and adopted on second reading this _____ day of _____, 2018.

_____
Manny Cid
MAYOR

Attest:

_____
Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

_____
Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT A

ORDINANCE

Chapter 13 Land Development Code

* * *

Article III Development Approval Procedures

* * *

Sec. 13-304. - Site plan approval.

* * *

(e) Application. Applications shall be submitted and processed pursuant to the general procedures in Section 13-301. In addition, applications for site plan review shall be accompanied by the following information and processed by the Town only after the applicant has complied with the following procedural requirements:

(1) The initial application shall include two copies of all site plans and required supporting documentation together with an application signed by the owner of record and submitted to the Administrative Official. ~~If it is determined by the Administrative Official that the site plan application requires approval by the Town Council, then 12 copies of all site plans and supporting documentations must be submitted before a public hearing can be scheduled.~~

* * *

MIAMI LAKES
Growing Beautifully

Department of Planning, Zoning and Code Compliance
6601 Main Street • Miami Lakes, Florida 33014
Office: (305) 364-6100 • Website: www.miamilakes-fl.gov

Staff Analysis and Recommendation

To: **Honorable Chair and Members of the Local Planning Agency**

From: **Darby P. Delsalle, AICP, Planning Director**

Subject: **Site Plan Applications – 12 Copies**

Date: **April 17, 2018**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATED TO SITE PLAN APPLICATION REQUIREMENTS, AMENDING SECTION 13-304(e)(1), '"SITE PLAN APPROVALS – APPLICATIONS," REPEALING THE REQUIREMENT THAT TWELVE (12) COPIES OF A SITE PLAN FOR PUBLIC HEARING CONSIDERATION BE SUBMITTED; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (One-for-One Policy)

A. BACKGROUND

At the time of the adoption of the Town's Code, the prevailing medium for the submission of site plan applications for public hearing was by way of a paper transmittal. The mode was reflective of a process that predated current technology advances that renders such need as obsolete. Today, plans submitted for hearing are scanned from a single set and published and transmitted electronically. As such the requirement for twelve copies of a plan set is unnecessary.

Implementation of the proposed ordinance is consistent with the One-for-One Policy established by the Town Council on April 3, 2018, which seeks, as a matter of policy, to delete obsolete provisions of Town Code when a new regulation is being adopted.

B. PROPOSED PROVISION

The last sentence of Section 13-304(e)(1) is to be struck removing the requirement that any site plan application subject to public hearing submit 12 copies of the plans.

C. STAFF RECOMMENDATION

Based on the analysis provided below and other factors contained in this report, Staff recommends approval of the ordinance that eliminates the obsolete provision of requiring 12 copies of the plans subject to a site plan public hearing.

D. ANALYSIS

The Land Development Code provides that all proposed amendments to the LDC shall be evaluated by the Administrative Official, the Local Planning Agency and the Town Council, and that, in evaluating the proposed amendment, the criteria in Subsection 13-306(b) shall be considered. All portions of this report are hereby incorporated into all portions of this analysis. The following is a staff analysis of the criteria as applied to this ordinance.

1. Whether the proposal is consistent with the Comprehensive Plan, including the adopted infrastructure minimum levels of service standards and the concurrency management program.

Analysis: The Comprehensive Master Development Plan does not address the number of required copies of a site plan that must be submitted for public hearing.

Finding: Complies

2. Whether the proposal is in conformance with all applicable requirements of this Code of Ordinances, including this chapter.

Analysis: See Section "A", Background and Section "B", Proposed Changes of this report. The proposed change in no way impacts existing regulations. The ordinance merely deletes a provision of code that was made obsolete by existing technology.

Finding: Complies.

3. Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing regulations, and whether such changes support or work against the proposed change in land use policy.

Analysis: See Section "A", Background and Section "B," Proposed Provision; and Criterion 2 of this report.

Finding: Complies.

4. Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and location of uses involved, the impact on adjacent or neighboring properties, consistency with existing development, as well as compatibility with existing and proposed land use.

Analysis: The amendment does not change the permitted uses within the zoning districts.

Finding: Complies.

5. **Whether, and the extent to which, the proposal would result in demands on transportation systems, public facilities and services, exceeding the capacity of such facilities and services, existing or programmed, including schools, transportation, water and wastewater services, solid waste disposal, drainage, water supply, recreation, education, emergency services, and similar necessary facilities and services.**

   Analysis: The proposed ordinance does not impact the above systems.

   Finding: Complies.

6. **Whether, and the extent to which, the proposal would result in adverse impacts on the natural environment, including consideration of wetland protection, preservation of any groundwater aquifers, wildlife habitats, and vegetative communities.**

   Analysis: The proposed ordinance does not impact the above systems.

   Finding: Complies.

7. **Whether, and the extent to which, the proposal would adversely affect the property values in the affected area, or adversely affect the general welfare.**

   Analysis: See Section "A", Background; Section "B", Proposed Changes; and Criterion 2 of this report. The proposed request has no impact on existing rules the regulate the use, form, and development of land.

   Finding: Complies.

8. **Whether the proposal would result in an orderly and compatible land use pattern. Any positive and negative effects on such pattern shall be identified.**

   Analysis: The proposed amendment does not change the permitted use of land or the standards upon which land is to be developed.

   Finding: Complies.

9. **Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and intent of this chapter.**

   Analysis: See Section "A", Background; Section "B", Proposed Changes; and Criteria 2, 7, and 8, of this report. No portion of the proposed amendment is in conflict with the existing regulations of the LDC.

   Finding: Complies.

10. **Other matters which the Local Planning Agency or the Town Council, in its legislative discretion, may deem appropriate.**

    Analysis: See Summary Section and all portions of this analysis. The Local Planning Agency and the Town Council may consider other appropriate factors to determine whether

the proposed FLUM amendment is appropriate and consistent with the public interest. The Analysis Section addressed the conditions suggested by the Planning and Zoning Board.

Finding: As determined by the Town Council.